UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	COLLIER/CARTER
	)	
v.	)	CASE NO. 1:09-CR-116
	)	
NORMAN DUNN	)	

O R D E R

On November 2, 2009, Magistrate Judge William B. Mitchell Carter filed a Report and

Recommendation (Court File No. 37), and on November 23, 2009, filed a Modified Report and

Recommendation recommending (a) the Court accept Defendant Norman Dunn's ("Defendant")

plea of guilty to Count One of the Indictment, to the extent that it charges the lesser included

offense under 21 USC §§ 846, 841(a)(1) and (b)(1)(C), in exchange for the undertakings made

by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of

the charges set forth in Count One of the Indictment; (c) that a decision on whether to accept the

plea agreement be deferred until sentencing; and (d) Defendant shall be taken into custody

pending sentencing in this matter (Court File No. 38). Neither party filed an objection within the

given ten days. After reviewing the record, the Court agrees with the magistrate judge's report

and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's

modified report and recommendation (Court File No. 38) pursuant to 28 U.S.C. § 636(b)(1) and

ORDERS as follows:

(1) Defendant's plea of guilty to Count One of the Indictment, to the extent that it

charges the lesser included offense under 21 USC §§ 846, 841(a)(1) and (b)(1)(C), in exchange

for the undertakings made by the government in the written plea agreement, is **ACCEPTED**;

(2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the

Indictment, to the extent that it charges the lesser included offense under 21 USC §§ 846,

841(a)(1) and (b)(1)(C);

(3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing;

and

(4) Defendant **SHALL BE TAKEN INTO CUSTODY** pending sentencing on

Thursday, February 18, 2010, at 2:00 p.m.

SO ORDERED.

ENTER:

/s/_____
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE

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